

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

OGAWA et al.

Serial No. 09/532,024

Filed: March 21, 2000

Title: MILK BEVERAGE

Atty Dkt. 1417-305

C# M#

Group Art Unit: 1761

Examiner: Mai

Date: August 17, 2001

Assistant Commissioner for Patents

Washington, DC 20231

Sir:

**RESPONSE/AMENDMENT/LETTER**

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

**Fees are attached as calculated below:**

Total effective claims after amendment	9	minus highest number		
previously paid for	20	(at least 20) =	0	x \$ 18.00

\$ 0.00

Independent claims after amendment	1	minus highest number		
previously paid for	3	(at least 3) =	0	x \$ 80.00

\$ 0.00

If proper multiple dependent claims now added for first time, add \$270.00 (ignore improper)	\$	0.00
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Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$390.00/2 months; \$890.00/3 months)	\$	0.00
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Terminal disclaimer enclosed, add \$ 110.00	\$	0.00
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<input type="checkbox"/> First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$710.00)	\$	0.00
<input type="checkbox"/> Please enter the previously unentered , filed		
<input type="checkbox"/> Submission attached		

<b>Subtotal</b>	\$	0.00
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If "small entity," then enter half (1/2) of subtotal and subtract	-\$	0.00
<input type="checkbox"/> Applicant claims "small entity" status. <input type="checkbox"/> Statement filed herewith		

Rule 56 Information Disclosure Statement Filing Fee (\$180.00)	\$	0.00
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Assignment Recording Fee (\$40.00)	\$	0.00
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Other:		0.00
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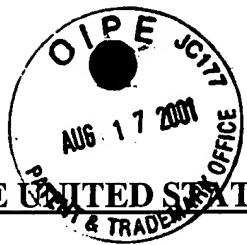
<b>TOTAL FEE ENCLOSED</b>	\$	0.00
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The Commissioner is hereby authorized to charge any deficiency in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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NIXON & VANDERHYE P.C.  
 By Atty: Arthur R. Crawford, Reg. No. 25,327

Signature: \_\_\_\_\_



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\* \* \* \* \*

August 17, 2001

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

RESPONSE

This is responsive to the Official Action dated May 22, 2001, paper No. 4. Claims 1-9 are active in the application.

As a preliminary matter there are issues not mentioned in the Action that invite comment and action. Attention is directed to the filing of a certified copy of a priority document with the original application papers on March 21, 2000. No acknowledgement of receipt of this document is indicated in the printed form/second sheet of the Official Action. Similarly, an Information Disclosure Statement was filed with the original application papers on March 21, 2000; again there is no indication that this document was considered or received, referring to the same page of the Official Action, nor is there included a dated and initialed PTO-1449 form. Attached is a further copy of the March 21, 2000 Information Disclosure Statement. The examiner is requested to consider this document, initial the spaces where appropriate, date same and return a copy to the undersigned with the next communication.

